

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gouelibo, Didier and Dameme, Alain
Assignee : Sensormatic Electronics Corporation
International Application No. : PCT/US98/05909
Title : SEMI-AUTOMATIC APPARATUS FOR AFFIXING AN ANTI-THEFT DEVICE TO AN ARTICLE
International Filing Date : March 24, 1998
Priority Date : March 28, 1997
Attorney File No. : C4-603

RECEIVED

03 NOV 1999

Legal Staff
International Division

PETITION UNDER 37 C.F.R. § 1.47 CONCERNING A FILING UNDER 35 U.S.C. 371

Assistant Commissioner for Patents
Washington, D.C. 20231

Attention Legal Dept.:

Please find attached a copy of a Petition and associated Statement filed on September 25, 1998, which was granted on October 19, 1998 under 37 C.F.R. § 1.425, concerning the above referenced international patent application. As shown in the enclosed Statement, Mr. Dameme, a co-inventor, was an employee of Sensormatic France S.A., a subsidiary of

11/16/1999 KJUNCART 00000138 191846 09381732
01 FC:122 130.00 CH
Sensormatic Electronics Corporation, at the time of filing the French patent application upon which the present application claims priority. Mr. Dameme is no longer an employee of


Sensormatic France S.A. Mr. Dameme, as particularly shown in exhibit G of the Statement, was attempting to obtain a global distribution contract and a financial package for his signature associated with prosecution of the patent, and has consistently refused to sign

papers associated with this application. Thus, it is requested that pursuant to 37 C.F.R. § 1.47, this application be allowed to proceed under 35 U.S.C. § 371 without Mr. Dameme's signature.

Mr. Dameme's last known address can be found on the copy of the Request form in exhibit E of the attached Statement.

Please charge the Petition fee under 37 C.F.R. § 1.17(i) and any other fees associated with this Petition, to our Deposit Account 19-1346.

Respectfully submitted,


Rick F. Comoglio, Attorney for Applicant
Registration No. 40,963
Sensormatic Electronics Corporation
951 Yamato Road
Boca Raton, FL 33431-0700
(561) 989-7299

PATENT
C4-603 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Sensormatic Electronics Corporation
International
Appln. No. : PCT/US98/05909
For : SEMI-AUTOMATIC APPARATUS FOR AFFIXING
AN ANTI-THEFT DEVICE TO AN ARTICLE

International
Filing Date : March 24, 1998

Assistant Commissioner for Patents
Box PCT
Washington, DC 20231

Attn: PCT Legal Office

PETITION

1. This Petition is submitted in response to the Decision issued herein on August 27, 1998 and further to the Statement filed herein on May 26, 1998.


2. Accompanying this Petition is a further Statement under PCT Rule 4.15(b) and 37 C.F.R. 1.425. It is believed that the accompanying Statement satisfies the requirements of Rules 4.15 and 425 in explaining the absence of applicant Dameme's signature in connection with the Request for international application.

3. It is now requested that, pursuant to Rules 4.15 and 425, the U.S. Patent and Trademark Office accept the present international application without applicant Dameme's signature.

4. The USPTO is authorized to charge any fees due in connection with this Petition to our Deposit Account No. 18-1644.

Dated: September 25, 1998

ROBIN, BLECKER & DALEY
330 Madison Avenue
New York, New York 10017
(212) 682-9640


Nathaniel Levin
Reg. No. 34,860

September 25, 1998
Date of Signature

Signature

NATHANIEL LEVIN

First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C.
20231, on: September 25, 1998

PATENT
C4-603 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Sensormatic Electronics Corporation
International
Appln. No. : PCT/US98/05909
For : SEMI-AUTOMATIC APPARATUS FOR AFFIXING
AN ANTI-THEFT DEVICE TO AN ARTICLE
International
Filing Date : March 24, 1998
Assistant Commissioner for Patents
Box PCT
Washington, DC 20231
Attn: PCT Legal Office

STATEMENT UNDER PCT RULE 4.15(b) AND 37 CFR 1.425

1. This Statement is filed in response to the Decision issued herein on August 27, 1998, and further in response to the 'Invitation to Correct Defects' issued in regard to this International Application on May 8, 1998.

2. This International Application was filed on March 24, 1998, claiming priority from French patent application no. 9703847, filed on March 28, 1997.

3. This International Application names Sensormatic Electronics Corporation as applicant for the purposes of all designated states except the United States of America.

4. This International Application names Messrs. Didier Gouelibo and Alain Dameme as inventors and as applicants only for the purposes of the United States of America.

5. There was filed contemporaneously with this International Application a Power of Attorney executed by

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on:

MATHAMIEL LEVIN

Signature

September 25, 1998
Date of Signature

Sensormatic Electronics Corporation and Mr. Gouelibo appointing the undersigned as their agent in connection with this International Application.

6. There was filed contemporaneously with this International Application an Assignment by which Mr. Gouelibo assigned to Sensormatic Electronics Corporation his rights in this International Application.

7. This International Application was signed by the undersigned as agent for applicants Sensormatic Electronics Corporation and Mr. Gouelibo.

8. Upon information and belief, Mr. Dameme was an employee of Sensormatic France S.A., a subsidiary of Sensormatic Electronics Corporation, at the time of filing of the above-referenced French patent application.

9. Sensormatic France S.A. was named as applicant, and Messrs. Gouelibo and Dameme were named as inventors, in the above-referenced French patent application.

10. Upon information and belief, Mr. Dameme is no longer employed by Sensormatic France S.A.

11. Upon information and belief, at least once prior to March 24, 1998 Mr. Dameme was requested by Sensormatic France S.A. to sign the Power of Attorney filed simultaneously with this International Application, and Mr. Dameme refused to sign the Power of Attorney.

12. On May 15, 1998, the undersigned sent to Mr. Dameme a letter of which a copy is annexed hereto as Exhibit A and a Power

of Attorney form of which a copy is annexed hereto as Exhibit B; in the letter the undersigned requested that Mr. Dameme sign and return the Power of Attorney form which accompanied the letter.

13. On May 22, 1998, the undersigned received from Mr. Dameme a facsimile message of which a copy is attached hereto as Exhibit C; in the facsimile message Mr. Dameme acknowledged receipt of the letter dated May 15, 1998 and refused to sign the Power of Attorney sent therewith, pending resolution of matters in dispute between Mr. Dameme and Sensormatic France S.A.

14. On May 26, 1998, the undersigned filed a Statement which showed the above facts and requested that this International Application be deemed to have been filed by Mr. Gouelibo on behalf of himself and Mr. Dameme, pursuant to Rule 425(a).

15. On August 27, 1998, the USPTO issued a Decision which treated the Statement filed on May 26, 1998 as a petition under Rule 425 and dismissed the petition without prejudice. The Decision pointed out that Rule 425 was amended on December 1, 1997, and the Decision stated that the Statement of May 26, 1998, failed to explain the lack of Mr. Dameme's signature on the Request (PCT Form RO/101).

16. On September 1, 1998, the undersigned sent to Mr. Dameme a letter of which a copy is annexed hereto as Exhibit D and a Request Form (Form PCT/RO/101) of which a copy is annexed hereto as Exhibit E; in the September 1, 1998, letter the undersigned requested that Mr. Dameme sign and return the Request

form which accompanied the letter.

17. On September 15, 1998, the undersigned sent to Mr. Dameme a letter of which a copy is annexed hereto as Exhibit F; in the September 15, 1998, letter the undersigned noted that Mr. Dameme had not responded to the September 1 letter and the undersigned asked Mr. Dameme to indicate whether Mr. Dameme was willing to sign the Request form.

18. On September 21, 1998, the undersigned received from Mr. Dameme a facsimile message of which a copy is attached hereto as Exhibit G; in the September 21, 1998 facsimile message Mr. Dameme acknowledged receipt of the letters dated September 1 and 15, 1998 and refused to sign the Request form, pending resolution of matters in dispute between Mr. Dameme and Sensormatic France S.A.

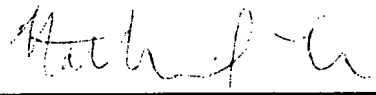
19. The undersigned respectfully shows, on the basis of the above-recited facts, that Mr. Dameme still refuses to join in this International Application, and that Mr. Dameme has refused to sign the Request. It is requested that the present International Application now be accepted without Mr. Dameme's signature, pursuant to Rules 4.15(b) and 425.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of this International Application or any corresponding U.S. national stage application or patent.

Dated: September 25, 1998

ROBIN, BLECKER & DALEY
330 Madison Avenue
New York, New York 10017
(212) 682-9640



Nathaniel Levin
Reg. No. 34,860

Exhibit A
09/381752

420 Rec'd PCT/PTO 2 2 SEP 1999

ROBIN, BLECKER & DALEY

330 MADISON AVENUE
NEW YORK, NEW YORK 10017-5001
(212) 682-9640

ALBERT ROBIN
HERBERT BLECKER
JAMES J. DALEY
HOWARD B. BARNABY
JOHN J. TORRENTE
NATHANIEL LEVIN

FACSIMILE
(212) 682-9648

MARYLEE JENKINS
LEON J. BECHET

May 15, 1998

VIA FEDERAL EXPRESS

M. Alain Dameme
10, rue Saint Nicolas
78640 Neauphle-le-Chateau
France

Re: International (PCT) Patent Application
PCT/US98/05909
Filed in the U.S. March 24, 1998
Claiming priority from French application
97 03 847 filed March 28, 1997
Title: SEMI-AUTOMATIC APPARATUS FOR AFFIXING
AN ANTI-THEFT DEVICE TO AN ARTICLE
Our File C4-603 PCT

Dear Mr. Dameme:

Please sign and date the enclosed Power of Attorney
form and return it to me by express courier.

We are required to submit this paper by June 8, 1998.
Your cooperation would be very much appreciated.

Please call if you have any questions.

Sincerely,



Nathaniel Levin

NL:an

Encl.

cc: Paul T. Kashimba, Esq.



THE WORLD LEADER IN ELECTRONIC SECURITY

Fax Cover Sheet

DATE: November 23, 1999

TO: Alain Dameme

FAX: 011 33-1-3007-8051

FROM: Tricia L. Riddle
Legal Department

PHONE: (561) 989-7145

FAX: (561) 989-7561

RE: C4-603 PCT US; Automated Machine for Applying Supertags on Garments

Number of pages including cover sheet: 5

Message

Please see attached

CONFIDENTIALITY NOTICE

This facsimile transmission is intended only for the addressee(s) above. It contains information that is privileged, confidential, or otherwise protected from use or disclosure. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any review, disclosure, dissemination, distribution, or copying of this transmission is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone so that we can arrange for its return to us. Thank you for your cooperation.

November 23, 1999

Mr. Alain Dameme
10, Rue Saint Nicholas
78640 Neauphle-le-Chateau
France

Via Federal Express & Facsimile
011 33 1 3007 8051

Re: Automated Machine for Applying Supertags on Garments
International Application No.: PCT/US98/05909
Our File: C4-603 PCT US

Dear Mr. Dameme:

Enclosed please find a complete copy of the above referenced patent application, an Assignment and a Declaration and Power of Attorney. Because you have refused to sign papers associated with filing this application, we have proceeded with international filing without your signature, and with the consent of Mr. Gouleibo, your co-inventor. However, we now require your signature on the enclosed documents for filing with the U.S. Patent Office.

Upon review of the attached, please sign where indicated and return the documents to me prior to December 10, 1999. A Federal Express return envelope has been provided for your convenience.

If, however, you refuse to execute the enclosed, please sign below to acknowledge your refusal, and return a copy of this letter to me via Federal Express or facsimile. My fax number is 561-989-7561.

Sincerely,



Tricia L. Riddle
Intellectual Property Paralegal

/Enclosures

I, Alain Dameme, hereby refuse to execute the enclosed Assignment and Declaration and Power of Attorney.

DATE

ALAIN DAMEME

ASSIGNMENT

Whereas, I, Alain Dameme of 10 Rue Saint Nicholas, 78640 Neauphle-le-Chateau, France, have invented certain improvements in

**SEMI-AUTOMATIC APPARATUS FOR AFFIXING
AN ANTI-THEFT DEVICE TO AN ARTICLE**

and executed a United States patent application therefor on the following date(s):
_____.

Whereas, SENSORMATIC ELECTRONICS CORPORATION, a corporation of Delaware, having a place of business at 951 Yamato Road, Boca Raton, Florida 33431-0700 (hereinafter referred to as SENSORMATIC), desires to acquire the entire right, title and interest in the application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, I, the above named, hereby acknowledge our prior existing obligation and hereby sell, assign, and transfer to SENSORMATIC, its successors and assigns, the entire right, title and interest in the application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of the United States application, and I request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to SENSORMATIC, its successors and assigns; and I hereby agree that SENSORMATIC may apply for foreign Letters Patent on the invention and I will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by SENSORMATIC.

Signed and sealed:

LOCATION

DATE

SIGNATURE

Neauphle-le-Chateau, France

Alain Dameme

**DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION
(37 CFR 1.63)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SEMI-AUTOMATIC APPARATUS FOR AFFIXING
AN ANTI-THEFT DEVICE TO AN ARTICLE**

the specification of which: (check one)

_____ is attached hereto.

 X was filed on March 24, 1998 as United States Application Number or PCT International Application Number PCT/US98/05909 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

I hereby claim the benefit of foreign priority under 35 USC 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Priority Claimed

2,761,500
(Number)
(no certified copy attached)

France
(Country)

March 28, 1997
(Filing Date)

 X Yes No

I hereby claim the benefit of United States priority under 35 USC 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application

is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial #)

(Filing Date)

(Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Rick F. Comoglio, Esq., Reg. No. 40,963

Paul T. Kashimba, Esq., Reg. No. 29,180

Send correspondence to Rick F. Comoglio, Esq., Sensormatic Electronics Corporation, 951 Yamato Road, Boca Raton, FL 33431-0700 and direct all telephone calls to Rick F. Comoglio, Esq. at (561) 989-7299.

FULL NAME OF INVENTOR: Didier Gouelibou

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: Cernay-la-Ville, France

CITIZENSHIP: France

POST OFFICE ADDRESS: 3 Rue de Bourgneuf, 78720 Cernay-la-Ville, France

FULL NAME OF INVENTOR: Alain Dameme

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: Neauphle-le-chateau, France

CITIZENSHIP: France

POST OFFICE ADDRESS: 10 Rue Saint Nicolas, 78640 Neauphle-le-chateau, France

* * * COMMUNICATION RESULT REPORT (NOV. 23. 1999 11:50AM) * * *

TTI LEGAL

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
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REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION

 Sensormatic

EXHIBIT B



United States



Results

- Registration
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- Tracking
- Dropoff Locator
- Rate Finder

- ▶ Service Guide
- ▶ eBusiness Tools
- ▶ About FedEx
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[Email these tracking results to one or more recipients](#)**Airbill Number : 422143050359**

- **Delivered To : Recept/Frnt desk**
- **Delivery Location : NEAUPHLE-LE-CHATEAU FR**
- **Delivery Date : 11/25**
- **Delivery Time : 12:19**
- **Signed For By : .DAMEME**
- **Status Exception : Doc/ncomm/nondutbl/pkg reed at dest**
- **Scan Activity :**
 - **Delivered GENNEVILLIERS FR 11/25 12:19**
 - **Placed on Van GENNEVILLIERS FR 11/25 09:33**
 - **Arrived at FedEx Destination Location GENNEVILLIERS FR 11/25 07:48**
 - **Pkg. Status Exception PARIS FR 11/24 22:09**
 - **Arrived at Sort Facility PARIS FR 11/24 22:09**
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 - **Arrived at FedEx Ramp FORT LAUDERDALE FL 11/23 21:34**
 - **Left FedEx Origin Location BOCA RATON FL 11/23 20:18**
 - **Int. Package Manifest Created BOCA RATON FL 11/23 16:39**
 - **Pickup Exception BOCA RATON FL 11/23 17:21**

E-mail Your Package Tracking Results

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2.
3.

Enter message to be sent with this email.

EXHIBIT C



THE WORLD LEADER IN ELECTRONIC SECURITY

Reminder
Re-Sent 12/07/99

Fax Cover Sheet

DATE: November 23, 1999

TO: Alain Dameme

FAX: 011 33-1-3007-8051

FROM: Tricia L. Riddle
Legal Department

PHONE: (561) 989-7145
FAX: (561) 989-7561

RE: C4-603 PCT US; Automated Machine for Applying Supertags on Garments

Number of pages including cover sheet: 5

Message

Please see attached

CONFIDENTIALITY NOTICE

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November 23, 1999

Mr. Alain Dameme
10, Rue Saint Nicholas
78640 Neauphle-le-Chateau
France

Via Federal Express & Facsimile
011 33 1 3007 8051

Re: Automated Machine for Applying Supertags on Garments
International Application No.: PCT/US98/05909
Our File: C4-603 PCT US

Dear Mr. Dameme:

Enclosed please find a complete copy of the above referenced patent application, an Assignment and a Declaration and Power of Attorney. Because you have refused to sign papers associated with filing this application, we have proceeded with international filing without your signature, and with the consent of Mr. Gouleibo, your co-inventor. However, we now require your signature on the enclosed documents for filing with the U.S. Patent Office.

Upon review of the attached, please sign where indicated and return the documents to me prior to December 10, 1999. A Federal Express return envelope has been provided for your convenience.

If, however, you refuse to execute the enclosed, please sign below to acknowledge your refusal, and return a copy of this letter to me via Federal Express or facsimile. My fax number is 561-989-7561.

Sincerely,



Tricia L. Riddle
Intellectual Property Paralegal

/Enclosures

I, Alain Dameme, hereby refuse to execute the enclosed Assignment and Declaration and Power of Attorney.

DATE

ALAIN DAMEME

ASSIGNMENT

Whereas, I, Alain Dameme of 10 Rue Saint Nicholas, 78640 Neauphle-le-Chateau, France, have invented certain improvements in

**SEMI-AUTOMATIC APPARATUS FOR AFFIXING
AN ANTI-THEFT DEVICE TO AN ARTICLE**

and executed a United States patent application therefor on the following date(s):
_____.

Whereas, SENSORMATIC ELECTRONICS CORPORATION, a corporation of Delaware, having a place of business at 951 Yamato Road, Boca Raton, Florida 33431-0700 (hereinafter referred to as SENSORMATIC), desires to acquire the entire right, title and interest in the application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, I, the above named, hereby acknowledge our prior existing obligation and hereby sell, assign, and transfer to SENSORMATIC, its successors and assigns, the entire right, title and interest in the application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of the United States application, and I request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to SENSORMATIC, its successors and assigns; and I hereby agree that SENSORMATIC may apply for foreign Letters Patent on the invention and I will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by SENSORMATIC.

Signed and sealed:

LOCATION

DATE

SIGNATURE

Neauphle-le-Chateau, France

Alain Dameme

**DECLARATION AND POWER OF ATTORNEY
FOR UTILITY PATENT APPLICATION
(37 CFR 1.63)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SEMI-AUTOMATIC APPARATUS FOR AFFIXING
AN ANTI-THEFT DEVICE TO AN ARTICLE**

the specification of which: (check one)

_____ is attached hereto.

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I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

I hereby claim the benefit of foreign priority under 35 USC 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Priority Claimed

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(Number)
(no certified copy attached)

France
(Country)

March 28, 1997
(Filing Date)

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is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial #)

(Filing Date)

(Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Rick F. Comoglio, Esq., Reg. No. 40,963

Paul T. Kashimba, Esq., Reg. No. 29,180

Send correspondence to Rick F. Comoglio, Esq., Sensormatic Electronics Corporation, 951 Yamato Road, Boca Raton, FL 33431-0700 and direct all telephone calls to Rick F. Comoglio, Esq. at (561) 989-7299.

FULL NAME OF INVENTOR: Didier Gouelibou

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: Cernay-la-Ville, France

CITIZENSHIP: France

POST OFFICE ADDRESS: 3 Rue de Bourgneuf, 78720 Cernay-la-Ville, France

FULL NAME OF INVENTOR: Alain Dameme

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: Neauphle-le-chateau, France

CITIZENSHIP: France

POST OFFICE ADDRESS: 10 Rue Saint Nicolas, 78640 Neauphle-le-chateau, France

* * * COMMUNICATION RESULT REPORT (DEC. 7. 1999 2:45PM) * * *

TTI LEGAL

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
3567 MEMORY TX		901133130078051	OK	5/5

REASON FOR ERROR

E-1) HANG UP OR LINE FAIL
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E-4) NO FACSIMILE CONNECTION

THE WORLD LEADER IN ELECTRONIC SECURITY

Reminder
Re-Sent 12/07/99

Fax Cover Sheet**DATE:** November 23, 1999**TO:** Alain Dameme**FAX:** 011 33-1-3007-8051**FROM:** Tricia L. Riddle
Legal Department**PHONE:** (561) 989-7145
FAX: (561) 989-7561**RE:** C4-603 PCT US; Automated Machine for Applying Supertags on Garments**Number of pages including cover sheet: 5**

Message

Please see attached

0021 100 1 2 01410486A410

PCT

C

POWER OF ATTORNEY

(for an international application filed under the Patent Cooperation Treaty)

(PCT Rule 90.4)

The undersigned applicant(s) (Names should be indicated as they appear in the request):

Alain Dameme
10, rue Saint Nicolas
78640 Neauphle-le-Chateau
France

hereby appoints (appoint) the following person as:



agent



common representative

Name and address

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

TORRENTE, John J.; BLECKER, Herbert; DALEY, James J.; LEVIN, Nathaniel; JENKINS, Marylee
Robin, Blecker & Daley
330 Madison Avenue
New York, New York 10017
United States of America

to represent the undersigned before



all the competent International Authorities



the International Searching Authority only



the International Preliminary Examining Authority only

in connection with the international application identified below:

Title of the invention: SEMI-AUTOMATIC APPARATUS FOR AFFIXING AN ANTI-THEFT
DEVICE TO AN ARTICLE

Applicant's or agent's file reference: C4-603 PCT

International application number (if already available): PCT/US98/05909

filed with the following Office United States Patent and Trademark Office as receiving Office
and to make or receive payments on behalf of the undersigned.

Signature of the applicant(s) (where there are several applicants, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs, if such capacity is not obvious from reading the request or this power):

By: Alain Dameme

Date: _____

09/381752

514 Rec'd PCT/PTO 22 SEP 1999

Première page de télécopie

Date: ven 22 mai 1998 Heure: 15:56

Dest.: ROBIN, BLECKER & DALEY M. Nathaniel Levin

Télécop: 00 1 212 682 9648

Exp.: DAMEME

Tél.: 00 33 1 34 89 91 13

Télécop:

RE:

Nombre de pages, y compris la page de garde: 1 page

Message

Dear Sir,

I duly received your letters dated May 13 th and 15 th, 1998 concerning my following patents :

- International Patent Application PCT/US 98 /05909, Semi Automatic apparatus for affixing an Anti-theft device to an article.
- Bottle cover with integrated EAS marker, your file C4-378-US.

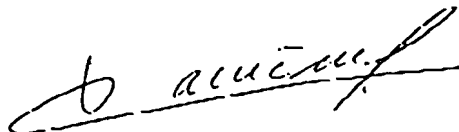
I hereby confirm you again, my agreement on the principle of signature of these documents.

However, the Sensormatic France's attitude has been so aggressive for the last six months (shown on their letter dated March 9th 1998), that they refuse to honour their distribution contrat proposal as well as deliveries for items ordered by me.

As, in such a context, I have no guarantee of future favorable attitude from Sensormatic, I consequently want a global contrat including :

- A distribution contrat (Optical stores).
- A financial package for the signature of patent

Yours Sincerely.



PCT

REQUEST

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum) C4-603 PCT

Box No. I TITLE OF INVENTION
SEMI-AUTOMATIC APPARATUS FOR AFFIXING AN ANTI-THEFT DEVICE TO AN ARTICLE

Box No. II APPLICANT

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

SENSORMATIC ELECTRONICS CORPORATION
951 Yamato Road
Boca Raton, Florida 33431-0700
United States of America

☐ This person is also inventor.

Telephone No.
(561)989-7000

Facsimile No.
(561)989-7561

Teleprinter No.

State (i.e. country) of nationality:
US

State (i.e. country) of residence:
US

This person is applicant for the purposes of: ☐ all designated States ☒ all designated States except the United States of America ☐ the United States of America only ☐ the States indicated in the Supplemental Box

Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

GOUELIBO, Didier
3, rue de Bourgneuf
78720 CERNAY-LA-VILLE,
FRANCE

This person is:

☐ applicant only

☒ applicant and inventor

☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:
France

State (i.e. country) of residence:
France

This person is applicant for the purposes of: ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

☒ Further applicants and/or (further) inventors are indicated on a continuation sheet.

Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE

The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:



agent



common representative

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

LEVIN, Nathaniel
Robin, Blecker & Daley
330 Madison Avenue
New York, New York 10017
United States of America

Telephone No.
(212) 682-9640

Facsimile No.
(212) 682-9648

Teleprinter No.

☐ Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

Continuation of Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS

If none of the following sub-boxes is used, this sheet is not to be included in the request.

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

DAMEME, Alain
10, rue Saint Nicolas
78640 NEAUPHLE-LE-CHATEAU
FRANCE

This person is:

- ☐ applicant only
☒ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:
FRANCE

State (i.e. country) of residence:
FRANCE

This person is applicant for the purposes of: ☐ all designated States ☐ all designated States except the United States of America ☒ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

This person is:

- ☐ applicant only
☐ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purposes of: ☐ all designated States ☐ all designated States except the United States of America ☐ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

This person is:

- ☐ applicant only
☐ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purposes of: ☐ all designated States ☐ all designated States except the United States of America ☐ the United States of America only ☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

This person is:

- ☐ applicant only
☐ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purposes of: ☐ all designated States ☐ all designated States except the United States of America ☐ the United States of America only ☐ the States indicated in the Supplemental Box

Box No.V DESIGNATION OF STATES

The following designations are hereby made under Rule 4.9(a) (*mark the applicable check-boxes; at least one must be marked*):

Regional Patent

- ☒ **AP ARIPO Patent:** GH Ghana, GM Gambia, KE Kenya, LS Lesotho, MW Malawi, SD Sudan, SZ Swaziland, UG Uganda, ZW Zimbabwe, and any other State which is a Contracting State of the Harare Protocol and of the PCT
- ☒ **EA Eurasian Patent:** AM Armenia, AZ Azerbaijan, BY Belarus, KG Kyrgyzstan, KZ Kazakhstan, MD Republic of Moldova, RU Russian Federation, TJ Tajikistan, TM Turkmenistan, and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT
- ☒ **EP European Patent:** AT Austria, BE Belgium, CH and LI Switzerland and Liechtenstein, DE Germany, DK Denmark, ES Spain, FI Finland, FR France, GB United Kingdom, GR Greece, IE Ireland, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, PT Portugal, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT
- ☒ **OA OAPI Patent:** BF Burkina Faso, BJ Benin, CF Central African Republic, CG Congo, CI Côte d'Ivoire, CM Cameroon, GA Gabon, GN Guinea, ML Mali, MR Mauritania, NE Niger, SN Senegal, TD Chad, TG Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (*if other kind of protection or treatment desired, specify on dotted line*)

National Patent (*if other kind of protection or treatment desired, specify on dotted line*):

- | | |
|--|--|
| <input checked="" type="checkbox"/> AL Albania | <input checked="" type="checkbox"/> LT Lithuania |
| <input checked="" type="checkbox"/> AM Armenia | <input checked="" type="checkbox"/> LU Luxembourg |
| <input checked="" type="checkbox"/> AT Austria | <input checked="" type="checkbox"/> LV Latvia |
| <input checked="" type="checkbox"/> AU Australia | <input checked="" type="checkbox"/> MD Republic of Moldova |
| <input checked="" type="checkbox"/> AZ Azerbaijan | <input checked="" type="checkbox"/> MG Madagascar |
| <input checked="" type="checkbox"/> BA Bosnia and Herzegovina | <input checked="" type="checkbox"/> MK The former Yugoslav Republic of Macedonia |
| <input checked="" type="checkbox"/> BB Barbados | <input checked="" type="checkbox"/> MN Mongolia |
| <input checked="" type="checkbox"/> BG Bulgaria | <input checked="" type="checkbox"/> MW Malawi |
| <input checked="" type="checkbox"/> BR Brazil | <input checked="" type="checkbox"/> MX Mexico |
| <input checked="" type="checkbox"/> BY Belarus | <input checked="" type="checkbox"/> NO Norway |
| <input checked="" type="checkbox"/> CA Canada | <input checked="" type="checkbox"/> NZ New Zealand |
| <input checked="" type="checkbox"/> CH and LI Switzerland and Liechtenstein | <input checked="" type="checkbox"/> PL Poland |
| <input checked="" type="checkbox"/> CN China | <input checked="" type="checkbox"/> PT Portugal |
| <input checked="" type="checkbox"/> CU Cuba | <input checked="" type="checkbox"/> RO Romania |
| <input checked="" type="checkbox"/> CZ Czech Republic | <input checked="" type="checkbox"/> RU Russian Federation |
| <input checked="" type="checkbox"/> DE Germany | <input checked="" type="checkbox"/> SD Sudan |
| <input checked="" type="checkbox"/> DK Denmark | <input checked="" type="checkbox"/> SE Sweden |
| <input checked="" type="checkbox"/> EE Estonia | <input checked="" type="checkbox"/> SG Singapore |
| <input checked="" type="checkbox"/> ES Spain | <input checked="" type="checkbox"/> SI Slovenia |
| <input checked="" type="checkbox"/> FI Finland | <input checked="" type="checkbox"/> SK Slovakia |
| <input checked="" type="checkbox"/> GB United Kingdom | <input checked="" type="checkbox"/> SL Sierra Leone |
| <input checked="" type="checkbox"/> GE Georgia | <input checked="" type="checkbox"/> TJ Tajikistan |
| <input checked="" type="checkbox"/> GH Ghana | <input checked="" type="checkbox"/> TM Turkmenistan |
| <input checked="" type="checkbox"/> GM Gambia | <input checked="" type="checkbox"/> TR Turkey |
| <input checked="" type="checkbox"/> GW Guinea-Bissau | <input checked="" type="checkbox"/> TT Trinidad and Tobago |
| <input checked="" type="checkbox"/> HU Hungary | <input checked="" type="checkbox"/> UA Ukraine |
| <input checked="" type="checkbox"/> ID Indonesia | <input checked="" type="checkbox"/> UG Uganda |
| <input checked="" type="checkbox"/> IL Israel | <input checked="" type="checkbox"/> US United States of America |
| <input checked="" type="checkbox"/> IS Iceland | <input checked="" type="checkbox"/> UZ Uzbekistan |
| <input checked="" type="checkbox"/> JP Japan | <input checked="" type="checkbox"/> VN Viet Nam |
| <input checked="" type="checkbox"/> KE Kenya | <input checked="" type="checkbox"/> YU Yugoslavia |
| <input checked="" type="checkbox"/> KG Kyrgyzstan | <input checked="" type="checkbox"/> ZW Zimbabwe |
| <input checked="" type="checkbox"/> KP Democratic People's Republic of Korea | |
| <input checked="" type="checkbox"/> KR Republic of Korea | |
| <input checked="" type="checkbox"/> KZ Kazakhstan | |
| <input checked="" type="checkbox"/> LC Saint Lucia | |
| <input checked="" type="checkbox"/> LK Sri Lanka | |
| <input checked="" type="checkbox"/> LR Liberia | |
| <input checked="" type="checkbox"/> LS Lesotho | |

Check-boxes reserved for designating States (for the purposes of a national patent) which have become party to the PCT after issuance of this sheet:


☐

☐

☐

In addition to the designations made above, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except the designation(s) of

The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that period.

Box No. VI PRIORITY CLAIM		Further priority claims are indicated in the Supplemental Box <input type="checkbox"/>	
The priority of the following earlier application(s) is hereby claimed:			
Country <i>(in which, or for which, the application was filed)</i>	Filing Date <i>(day/month/year)</i>	Application No.	Office of filing <i>(only for regional or international application)</i>
item (1) FR	28 March 1997 (28-03-97)	97 03847	
item (2)	()		
item (3)	()		
Mark the following check-box if the certified copy of the earlier application is to be issued by the Office which for the purposes of the present international application is the receiving Office (a fee may be required):			
<input type="checkbox"/> The receiving Office is hereby requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s): _____			
Box No. VII INTERNATIONAL SEARCHING AUTHORITY			
Choice of International Searching Authority (ISA) (if two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used): <u>ISA/US</u>			
Earlier search Fill in where a search (international, international-type or other) by the International Searching Authority has already been carried out or requested and the Authority is now requested to base the international search, to the extent possible, on the results of that earlier search. Identify such search or request either by reference to the relevant application (or the translation thereof) or by reference to the search request:			
Country (or regional Office):		Date (day/month/year):	Number:
Box No. VIII CHECK LIST			
This international application contains the following number of sheets: 1. request : 4 sheets 2. description : 10 sheets 3. claims : 4 sheets 4. abstract : 1 sheets 5. drawings : 2 sheets Total : 21 sheets		This international application is accompanied by the item(s) marked below: 1. <input type="checkbox"/> separate signed power of attorney 5. <input type="checkbox"/> fee calculation sheet 2. <input type="checkbox"/> copy of general power of attorney 6. <input type="checkbox"/> separate indications concerning deposited microorganisms 3. <input type="checkbox"/> statement explaining lack of signature 7. <input type="checkbox"/> nucleotide and/or amino acid sequence listing (diskette) 4. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s): 8. <input type="checkbox"/> other (specify): check for \$	
Figure No. <u>2</u> of the drawings (if any) should accompany the abstract when it is published.			
Box No. IX SIGNATURE OF APPLICANT OR AGENT			
Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).			
 _____ Nathaniel Levin		_____ Alain Dameme	

For receiving Office use only		2. Drawings: <input type="checkbox"/> received: <input type="checkbox"/> not received:
1. Date of actual receipt of the purported international application:		
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:		
4. Date of timely receipt of the required corrections under PCT Article 11(2):		
5. International Searching Authority specified by the applicant: <u>ISA/</u>	6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid	

09/381752

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ROBIN, BLECKER & DALEY

330 MADISON AVENUE
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(212) 682-9640

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ALBERT ROBIN
HERBERT BLECKER
JAMES J. DALEY
HOWARD B. BARNABY
JOHN J. TORRENTE
NATHANIEL LEVIN

MARYLEE JENKINS
LEON J. BECHET

September 1, 1998

VIA FEDERAL EXPRESS

M. Alain Dameme
10, rue Saint Nicolas
78640 Neauphle-le-Chateau
France

Re: International (PCT) Patent Application
PCT/US98/05909
Filed in the U.S. March 24, 1998
Claiming priority from French application
97 03 847 filed March 28, 1997
Title: SEMI-AUTOMATIC APPARATUS FOR AFFIXING
AN ANTI-THEFT DEVICE TO AN ARTICLE
Our File C4-603 PCT

Dear Mr. Dameme:

Pursuant to requirements of the PCT branch of the U.S. Patent Office, we again seek your cooperation in connection with this matter by requesting that you sign the enclosed "Request" form at the place indicated on Sheet No. 4 and then returning it to me by express courier.

Once more, we would very much appreciate your assistance.

If you have any questions please do not hesitate to contact me by telephone or facsimile.

Sincerely,



Nathaniel Levin

NL:an
encl.

cc: Paul T. Kashimba, Esq.

09/381752 F

420 Rec'd PCT/PTO 2 2 SEP 1999

ROBIN, BLECKER & DALEY

330 MADISON AVENUE
NEW YORK, NEW YORK 10017-5001
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ALBERT ROBIN
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JAMES J. DALEY
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JOHN J. TORRENTE
NATHANIEL LEVIN

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(212) 682-9648

MARYLEE JENKINS
LEON J. BECHET

September 15, 1998

VIA FEDERAL EXPRESS

M. Alain Dameme
10, rue Saint Nicolas
78640 Neauphle-le-Chateau
France

Re: International (PCT) Patent Application
PCT/US98/05909
Filed in the U.S. March 24, 1998
Claiming priority from French application
97 03 847 filed March 28, 1997
Title: SEMI-AUTOMATIC APPARATUS FOR AFFIXING
AN ANTI-THEFT DEVICE TO AN ARTICLE
Our File C4-603 PCT

Dear Mr. Dameme:

I have received no response from you in regard to my letter of September 1, 1998 (copy attached).

Please advise by facsimile or by overnight express whether you are willing to sign the "Request" form enclosed with my September 1, 1998 letter.

Sincerely,



Nathaniel Levin

NL/kao
encl.

cc: Paul T. Kashimba, Esq.

09/381752
514 Rec'd PCT/PTO 22 SEP 1999

FAX

Date: 21/09/1998 Heure: 16:08
TO.: ROBIN, BLECKER & DALEY M. Nathaniel Levin
Télécop: 00 1 212 682 9648
FROM.: A. DAMEME Tél.: 00 33 1 34 89 91 13

Number of pages including this one : 1 page

RE: Your letter dated September 1st, and 15 th 1998

Dear Mr Levin,

I duly received your letters and Request form concerning my following patent :

International Patent Application PCT/US 98 /05909, Semi Automatic apparatus for affixing an anti-theft device to an article.

But I do not understand why you send them. My last fax was clear :

Quote

As, in such a context, I have no guarantee of future favorable attitude from Sensormatic, I consequently want a global contract including :

- A distribution contract (Optical stores) and libraries.
- A financial package for the signature of the patent

Unquote

Others questions : why not USA ?, as major inventor why I am not in second place?

Yours Sincerely.

Alain DAMEME

